

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

29TH LEGISLATIVE DAY

THURSDAY, APRIL 19, 2001

10:00 O'CLOCK A.M.

No. 29
[Apr. 19, 2001]

The Senate met pursuant to adjournment.
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
 Prayer by Pastor Blake Carter, Hope Evangelical Free Church,
 Springfield, Illinois.
 Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, April 17, 2001, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, April 18, 2001, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

At the hour of 10:09 o'clock a.m., Senator Watson presiding.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 112

Offered by Senator Lauzen and all Senators:
 Mourns the death of William Joseph Werrline, Jr. of Aurora.

The foregoing resolution was referred to the Resolutions Consent Calendar.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Lauzen, House Bill No. 10 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, House Bill No. 123 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, House Bill No. 126 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Myers, House Bill No. 148 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rauschenberger, House Bill No. 260 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Parker, House Bill No. 846 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, House Bill No. 857 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Geo-Karis, House Bill No. 1060 was taken up,
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read by title a second time and ordered to a third reading.

On motion of Senator Sieben, House Bill No. 1854 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, House Bill No. 1908 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1908, on page 6, by replacing lines 31 through 34 with the following: "abolished by operation of law effective on January 1 July-1 of the calendar year immediately following the calendar year in which that consolidated nonpartisan election is held. On January 1 July-1 of the calendar year in which the offices of township"; and on page 7, line 13, by replacing "July 1" with "January 1 July--1"; and on page 7, line 17, by replacing "July 1" with "January 1 July-1"; and on page 7, line 27, by replacing "July 1" with "January 1 July-1".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sieben, House Bill No. 2143 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, House Bill No. 2161 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Parker, House Bill No. 2218 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, House Bill No. 2314 was taken up, read by title a second time and ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rauschenberger, Senate Bill No. 1355, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 30; Nays None; Present 25.

The following voted in the affirmative:

Bomke
Burzynski
Cronin
Dillard
Donahue
Dudycz
Geo-Karis
Hawkinson
Jones, W.
Karpel

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Klemm
 Lauzen
 Luechtefeld
 Madigan, R.
 Myers
 Noland
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Roskam
 Sieben
 Sullivan
 Syverson
 Walsh, T.
 Watson
 Weaver
 Mr. President

The following voted present:

Bowles
 Clayborne
 DeLeo
 del Valle
 Demuzio
 Halvorson
 Hendon
 Jacobs
 Jones, E.
 Lightford
 Link
 Madigan, L.
 Munoz
 Obama
 O'Daniel
 Ronen
 Shadid
 Shaw
 Silverstein
 Smith
 Trotter
 Viverito
 Walsh, L.
 Welch
 Woolard

This roll call verified.

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Rauschenberger, **Senate Bill No. 1356**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 30; Nays None; Present 25.

The following voted in the affirmative:

Bomke
Burzynski
Cronin
Dillard
Donahue
Dudycz
Geo-Karis
Hawkinson
Jones, W.
Karpel
Klemm
Lauzen
Luechtefeld
Madigan, R.
Myers
Noland
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Roskam
Sieben
Sullivan
Syverson
Walsh, T.
Watson
Weaver
Mr. President

The following voted present:

Bowles
Clayborne
DeLeo
del Valle
Demuzio
Halvorson
Hendon
Jacobs
Jones, E.
Lightford
Link
Madigan, L.
Munoz
Obama
O'Daniel
Ronen
Shadid
Shaw
Silverstein
Smith
Trotter

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Viverito
Walsh, L.
Welch
Woolard

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Rauschenberger, Senate Bill No. 1366, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 55; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan, L.
Madigan, R.
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw

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Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Rauschenberger, Senate Bill No. 1367, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 55; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Munoz
 Myers
 Noland
 Obama
 O'Daniel

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O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Parker moved that Senate Resolution No. 38, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Environment and Energy, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 38 as follows:
 on page 1, by replacing lines 2 through 31 with the following:

"WHEREAS, Exotic and invasive aquatic species have done irreparable damage to the Great Lakes and the land and water resources of the country; and

WHEREAS, The discharge of ballast water and sediments from commercial shipping vessels is a primary pathway for introducing new aquatic nuisance species and spreading established aquatic nuisance species; and

WHEREAS, Eight out of ten new aquatic nuisance species come into the country via ballast water; and

WHEREAS, Exotic and invasive aquatic species control and prevention requires significant coordination at state, federal, and international levels; and

WHEREAS, In an effort to control the introduction and spread of aquatic nuisance species, Illinois should explore solutions to prevent the introduction and spread of aquatic nuisance species into Lake Michigan waters; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF

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THE STATE OF ILLINOIS, that the Department of Natural Resources, the Environmental Protection Agency, and the Illinois International Port Authority shall study preventing the introduction and minimizing the spread of aquatic nuisance species within Illinois waters; and be it further

RESOLVED, That the study shall (i) analyze how to best abate harmful ecological, economic, social, and public health impacts from aquatic nuisance species infestations within Illinois waters, (ii) make recommendations regarding how to best implement an aquatic nuisance species prevention program in Illinois and provide for interstate collaboration, taking into consideration all available scientific information, technologies, and practices, and economic impacts of such measures, and analyze the possible costs and sources of funding to implement their recommendations, and (iii) analyze possible costs and sources of funding for carrying out the federally approved Department of Natural Resources Comprehensive Management Plan for Aquatic Nuisance Species in Illinois; and be it further

RESOLVED, That the Department of Natural Resources, the Environmental Protection Agency, and the Illinois International Port Authority fully participate in interstate and federal studies currently underway to address the control and prevention of the spread of exotic and invasive aquatic species; and be it further

RESOLVED, That the Department of Natural Resources, the Environmental Protection Agency, and the Illinois International Port Authority report (i) the findings and recommendations of the study and (ii) progress made with the interstate and federal studies to the Senate of the State of Illinois on or before January 15, 2002; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Director of Natural Resources, the Director of the Environmental Protection Agency, and the Chairman of the Illinois International Port Authority." and
on page 2, by deleting lines 1 through 19.

Senator Parker moved that Senate Resolution No. 38, as amended, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.

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Karpiel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.
 And the resolution, as amended, was adopted.

Senator Parker moved that House Joint Resolution No. 9, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Parker moved that House Joint Resolution No. 9 be adopted.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

LEGISLATIVE MEASURES FILED

The following floor amendments to the House Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to House Bill 1972
 Senate Amendment No. 1 to House Bill 2161

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Senate Amendment No. 1 to House Bill 3145

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 110

Offered by Senator Dillard and all Senators:
Mourns the death of Henri Joseph Chicoine of Downers Grove.

SENATE RESOLUTION NO. 111

Offered by Senator Noland and all Senators:
Mourns the death of Merl E. Bottrell of Blue Mound.

SENATE RESOLUTION NO. 112

Offered by Senator Lauzen and all Senators:
Mourns the death of William Joseph Werrline, Jr. of Aurora.

Senator Watson moved the adoption of the foregoing resolutions.
The motion prevailed.
And the resolutions were adopted.

PRESENTATION OF RESOLUTION

Senator Weaver offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 25

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, April 19, 2001, the Senate stands adjourned until Tuesday, April 24, 2001, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, April 24, 2001.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES
A FIRST TIME

House Bill No. 16, sponsored by Senator Parker was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 210, sponsored by Senator Lauzen was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 705, sponsored by Senator Viverito was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 811, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1813, sponsored by Senator Lauzen was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 1954, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2058, sponsored by Senator Roskam was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2400, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2539, sponsored by Senator Lauzen was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2548, sponsored by Senator Radogno was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2565, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3017, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3050, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3097, sponsored by Senators T. Walsh - Luechtefeld was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3194, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3203, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3289, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2390, sponsored by Senator Link was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 10:45 o'clock a.m., on motion of Senator Luechtefeld, and pursuant to Senate Joint Resolution No. 25, the Senate stood adjourned until Tuesday, April 24, 2001 at 12:00 o'clock noon.

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